

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY THE TWENTYTHIRD DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 16220 OF 2012

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Between:

Vasa Muthyala Rao ... Petitioner

Vs.

The Superintendent of Police,
Guntur Rural, Guntur,
Guntur District & Anr. Respondents

Counsel for the Petitioner: Sri K. Chidambaram

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 16220 OF 2012

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ORDER:

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This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of the respondents in continuing a rowdy sheet opened against the petitioner in Mangalagiri Rural Police Station as illegal, arbitrary and violative of Article 21 of the Constitution of India and consequently to direct the respondents to remove the said rowdy sheet and to pass suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri K. Chidambaram, learned counsel for the petitioner and learned Government Pleader for respondents.

3. When the matter is called, written instructions dated 30/8/2015 filed by the Sub-Divisional Police Officer, North ?Sub-Division, Mangalagiri, Guntur Urban have been placed on record by the learned Government Pleader for respondents.

4. The said written instructions read as under:

It is respectfully submitted that one Vasa Muthyala Rao, who is the petitioner herein was involved in the following cases:

1. Cr.No. 216/2006 under section 147, 148, 324 r/w 34 r/w 149 IPC of Mangalagiri Rural Police Station. The same was compromised by both parties at Lokadalat on 09/11/2006.

2. Cr.No. 231/2006, Cr.No.121/2007, Cr.No.289/2007, Cr.No. 298/2007, under section 107 Cr.P.C. and Cr.No.57/2012, M.C.No. 18/2012 it is further submitted that the petitioner herein is problematic person in the village, hence the respondent police bind over the petitioner in the above said cases to maintain law and order in the city.

It is further submitted that the petitioner involved in the above said cases, hence the SDPO opened the rowdy sheet vide C.No.404/SDPO/GR/08 dated 15/2/2008 and the same was continued upto till date and his rowdy sheet is extended by the SDPO from time to time. The Station House Officer, Mangalagiri Rural Police Station submitted report on 16/12/2014 stating that the writ petitioner is active in participating anti-social activities and there is no mend in the attitude of petitioner, requested to further continue the rowdy sheet.

Basing on information of the Station House Officer, Mangalagiri Rural Police Station and Inspector of Police, Mangalagiri Rural Circle recommended SDPO North Division issued orders dated 10/1/2015 after making discrete enquiries and found that the activities of the petitioner are prejudicious to maintenance of public order and affecting peace and tranquility in that area. As per order No. 602-2 of APPM though the rowdy sheet not figuring as an accused 5 years from the date of opening rowdy sheet does not procure to continue rowdy sheet. It is not a precondition to continue rowdy sheet against a person to show that he is involved in criminal cases. The petitioner involved in Cr.No.57/2012, MC.No.18/2012

during the year 2012.

It is further submitted that the petitioner is the resident of Bethapudi village which comes under the jurisdiction of CRDA due to declaring of Amaravathi as State Capital of A.P. there is steep hike in land rates of Mangalagiri. The petitioner actively involved in land issues and threatening land owners, thereby causing breach of peace in the locality and the witnesses are not coming forward to report the police due to fear of writ petitioner.

In the above circumstances, after receiving the application from the petitioner the respondent authority will review the same and consider as per law.

5. On noticing the same, it is requested by the learned counsel for the petitioner to dispose of the writ petition by recording the said written instructions.

6. In view of the above, the writ petition stands disposed of by recording the said written instructions dated 30/8/2015 furnished by the Sub-Divisional Police Officer, North Sub-Division, Mangalagiri, Guntur Urban. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

23/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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